

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MIKE'S TRAIN HOUSE, INC.,

Plaintiff,

Case No. 06-10375

v.

Honorable John Corbett O'Meara

KOREA BRASS CO., LTD., a/k/a KOREA
BRASS, INC.; and HAGYE TRADING
COMPANY, a/k/a MODEL KOREA
TRADING COMPANY,

Defendants.

**ORDER GRANTING DEFENDANT MKT'S APRIL 3, 2007 MOTION TO STAY AND
DENYING WITHOUT PREJUDICE DEFENDANT MKT'S MARCH 19, 2007
MOTION FOR SUMMARY JUDGMENT**

This matter came before the court on defendant Model Korea Trading Company's March 19, 2007 motion for summary judgment and its April 3, 2007 motion for stay. Plaintiff Mike's Train House ("MTH") filed a response to the summary judgment motion April 12, 2007, but did not file a response to the motion to stay. No reply briefs were filed, and no oral argument was heard.

On April 19, 2007, the United States Court of Appeals for the Sixth Circuit denied plaintiff MTH's petition for rehearing *en banc* in a previous case involving the parties. Plaintiff has advised the court that it intends to file a petition for a writ of *certiorari* to the United States Supreme Court. Therefore, it is in the best interests of the parties and this court to grant defendant MKT's April 3, 2007 motion to stay this case until the Supreme Court disposes of the previous case. In addition, the court will deny without prejudice defendant MKT's motion for summary judgment.

ORDER

It is hereby **ORDERED** that defendant Model Korea Trading Company's March 19, 2007 motion for summary judgment is **DENIED WITHOUT PREJUDICE**.

It is further **ORDERED** that defendant Model Korea Trading Company's April 3, 2007 motion for stay is **GRANTED**.

s/John Corbett O'Meara
United States District Judge

Dated: May 25, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, May 25, 2007, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager